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POPS INC-3 HIGHLIGHTS
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On the first day of the third session of the Intergovernmental Negotiating Committee (INC-3) for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (POPs), delegates heard opening statements from Philippe Roch, State Secretary, Director of the Swiss Agency for Environment, Forests and Landscape, and Dr. Klaus Töpfer, Executive Director of UNEP. Delegates also adopted the provisional agenda, made general statements and heard a report from the Co-Chairs of the Criteria Expert Group (CEG).

OPENING PLENARY

Chair John Buccini (Canada) opened INC-3 and introduced Philippe Roch who welcomed delegates and underscored the importance of global cooperation to address POPs. He called for solidarity and a global effort to stop POPs production and to eliminate existing stocks. Roch also emphasized the need to add other substances to the convention and to apply pressure on industry to stop development and production of additional POPs. He underscored that exceptions for use of POPs should only be permitted in cases where public interest is served, such as the use of DDT to control malaria. In closing, he noted Switzerland's offer to fund the first conference of the parties to be held in a developing country.

Dr. Klaus Töpfer, Executive Director of UNEP, remarked that the INC is at a critical point in the negotiations and emphasized that it is time to develop specific control measures and set deadlines for the 12 POPs. He stressed that no country is immune to POPs, that no country acting alone can address POPs and that every country will benefit from participating in global action. While underscoring the need to reduce and eliminate DDT releases, he emphasized this should not be at the expense of lives lost to malaria and called for further development of alternative methods to control the disease. He commended contributions to the POPs fund and underscored the need for sustained funding to complete negotiations.

Chair Buccini then introduced and delegates adopted the provisional agenda (UNEP/POPS/INC.3/1.) He presented the planned organization of work contained in a Secretariat's Note (UNEP/POPS/INC.3/INF/7) and indicated his intent to address in Plenary articles on the basic obligations of the convention, specifically: measures to reduce or eliminate releases of POPs; national implementation plans; information exchange; public information, awareness and education; and research, development and monitoring. He anticipated dividing into the Negotiation Group and Implementation Group on Wednesday and noted the establishment of an Implementation Group Bureau comprised of the Czech Republic, India, Angola and Austria. By the end of INC-3, he expected to have the abovementioned articles in good shape and a draft text on the article addressing the process of adding new chemicals to the convention. Jim Willis, UNEP Chemicals, introduced the meeting reports, meeting documents and information documents as contained in UNEP/POPS/INC.3/INF/16. He highlighted two meeting documents prepared at the request of INC-2: an analysis of selected conventions covering the ten intentionally produced POPs (UNEP/POPS/INC.3/2); and definitional issues relating to POPs-disposal, destruction, wastes and stockpiles (UNEP/POPS/INC.3/3).

On the review of ongoing international activities relating to the INC's work, Willis reported on the updated master list of actions on the reduction and/or elimination of the releases of POPs (UNEP/POPS/INC.3/INF/9). Noting that UNEP had drawn up the list to avoid duplicated efforts, ensure efficient resource use and facilitate coordination and cooperation among countries and organizations, he emphasized the high number of countries responding to the Secretariat's request in 1999 for updated information on assessment and monitoring, regulatory information and activities directly addressing POPs. He noted the document was a useful but not complete list containing information received up to 1 July 1999. Outlining a new phase of UNEP activities on POPs, he highlighted two regional workshops held this year, organization of a comprehensive series of training workshops for late 1999 and 2000, availability of four new POPs publications and preparations for a new project for country-based pilot work to identify or address persistent toxic substances. He also commended the GEF's cooperation in addressing persistent toxic substances through its water programme.

In response, INDONESIA stressed difficulties in collecting quantitative data. CAMEROON urged strengthening regional and subregional cooperation. The GAMBIA noted its current focus on a PCB case study contingent on UNEP assistance. The FEDERATED STATES OF MICRONESIA noted specific concerns of Small Island Developing States. The WORLD HEALTH ORGANIZATION (WHO) highlighted a progress report on the development of the WHO action plan for the reduction of reliance on DDT use for public health purposes (UNEP/POPS/INC.3/INF/15) and stressed overcoming the cost of alternatives.

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PHYSICIANS FOR SOCIAL RESPONSIBILITY expressed concern over DDT use for malaria control and, with the US and the WWF, stressed the need to phase out DDT and redirect attention to the research and creation of new mechanisms to control malaria. MALI, the PHILIPPINES, NIGERIA, EGYPT, the RUSSIAN FEDERATION, KENYA, SAMOA, MALAYSIA and IRAN presented their current standings regarding POPs, including national programmes to eliminate their use. Many countries requested assistance, including legal, technical and financial assistance, from governments or organizations. WWF urged donor governments to assist. The US welcomed the GEF's interest in considering a range of POPs projects and stressed the need for: more information on releases; technical and financial assistance for developing countries; strong policy measures on wastes and by-products of POPs; meaningful provisions in the treaty; and, with CANADA and CHINA, global cooperation to eliminate the use of intentionally produced POPs. CANADA requested an evaluation of whether the convention is effective as a practical system of global monitoring on a regional level. The RUSSIAN FEDERATION and IRAN recognized divisions between developed and developing country positions on POPs issues and their potential to impede INC work. CHINA stressed common but differentiated responsibilities and supported a mechanism resembling the Montreal Protocol's multilateral fund. WWF reiterated that banning DDT should not be at the cost of lives lost to malaria and withdrew its global DDT phase out target date of 2007, but supported continued efforts to achieve elimination regardless of the date.

NIGERIA, on behalf of the African countries, called for a multilateral financial mechanism similar to that of the Montreal Protocol, means for information exchange and assistance to developing countries to help implement the convention. She supported a phase out of DDT as long as cost-effective alternatives are available. BOTSWANA noted it has provisionally stopped DDT use, and the PHILIPPINES emphasized that malaria can be reduced without DDT. THAILAND expressed concern over the reemerging use of DDT, and urged countries to share practical experiences on malaria reduction without the use of DDT. ECUADOR said developed countries should stop exporting POPs to developing countries.

The MALARIA PROJECT introduced an open letter signed by doctors, scientists and health economists urging that public health use of DDT be permitted to fight malaria, stressing that health risks from malaria outweigh those from DDT. He said the convention should require developed countries to fund costly alternatives if DDT is to be phased out or eliminated. LESOTHO expressed concern over conflicting evidence on DDT and called on developed countries to provide clarification on the issue. ZAMBIA mentioned domestic public perception that DDT is the most effective method to control malaria. ARGENTINA supported changing current malaria strategy and called for an accurate, in-depth cost-benefit analysis on DDT. INDIA called for technical and financial assistance to help developing countries meet the convention's objectives. KUWAIT recommended inclusion of an article on regional and subregional arrangements, as well as a mechanism to assess and evaluate new chemicals to ensure environmental safety, suggesting that UNEP could undertake such an assessment. The REPUBLIC OF KOREA supported use of the precautionary approach when adding chemicals to the convention.

Criteria Expert Group (CEG) Co-Chairs Reiner Arndt (Germany) and Fatoumata Jallow Ndoye (The Gambia) reported on the outcome of CEG-2 (UNEP/POPS/INC/CEG/2/3). The report contains some working definitions and a draft article on the procedure for identifying additional POPs, including information requirements and criteria for the proposal and screening of a substance as well as information requirements for the risk profile and socioeconomic considerations. Arndt noted that CEG-2 had fulfilled the groups mandate. He said the CEG agreed organic substances with transformation products are POPs should be eligible for nomination. He noted the CEG did not reach agreement on: the half-life in water necessary to meet the persistence criteria; the log Kow necessary to demonstrate bioaccumulation; or the definition for the potential for long-range environmental transport. He also noted the CEG supported reference to the precautionary principle in the convention.

Jallow Ndoye noted the CEG considered options for a chemical review committee and preferred establishment of two chemical review committees to address risk assessment and risk management. FINLAND, on behalf of the EU, supported the recommended procedure and noted estimated time and costs for the procedure contained in UNEP/POPS/INC.3/INF/11. Several countries, including IRAN, the CZECH REPUBLIC, SWITZERLAND, the DOMINICAN REPUBLIC, MALI and CAMEROON supported adoption of the report as the basis for further negotiation. WWF highlighted a report prepared in response to the CEG report. The INTERNATIONAL POPS ELIMINATION NETWORK called for incorporation of the precautionary principle and a transparent procedure. Buccini commended the CEG for having completed its work ahead of schedule and under budget.

Plenary next considered the establishment of and a mandate for a legal drafting group (LDG). Buccini proposed setting up an LDG restricted to government representatives, with English as the working language, which would be mandated to elect a chair, examine standard procedural articles (Articles L to Z), separate out policy from non-policy content, avoid any negotiation of policy and give first priority to agreements on key articles under discussion at INC-3. Anticipating a heavy workload for the LDG, the EU proposed it meet in parallel with Plenary and working groups. Opposing, CANADA said the LDG should be in these groups to gain a proper understanding of the INC's intentions. COLOMBIA called for appropriate regional representation within the LDG. POLAND said this was not a critical factor for the LDG. The EU, with COLOMBIA, supported the presence of a Secretariat member in the LDG to inform it of substantive developments. On distinguishing policy from non-policy content, IRAN stressed the need to clarify the meaning of policy. Delegates agreed the LDG would meet as an open-ended group, elect a chair and report back to the Plenary on country representation within the LDG, its preferred work schedule and its opinion on the policy content of Articles L-Z.

IN THE CORRIDORS

Tensions in the debate on human health vs. the environment appeared to flare in the wake of recent media coverage on the controversial use of DDT to combat malaria. Delegates raised eyebrows at shifts in positions on deadlines for elimination of DDT and speculated over implications.

THINGS TO LOOK FOR TODAY

Delegates will convene in Plenary to begin discussion on measures to reduce or eliminate releases of POPs into the environment.